

# Panthers Lose Fight Against 9 Witnesses

CHICAGO, Jan. 14 (UPI)—Chief Federal Judge William J. Campbell today refused to keep nine witnesses from testifying in a federal grand jury investigation of a police raid in which two Black Panther leaders were killed.

In doing so, Campbell scolded Panthers and their representatives for "trying to stop the grand jury process."

He said it was the Panthers themselves who had pressed for the federal investigation of a Dec. 4 police raid on a West Side apartment in which Fred Hampton, Illinois chairman of the Panthers, and another top Illinois panther, Mark Clark, were killed.

"We have here a repeated attempt by the same people who instituted this investigation, trying to thwart the very same investigation," Campbell said.

The nine witnesses include three doctors who conducted independent autopsies of the bodies of Hampton and Clark. Campbell on Tuesday refused to bar the same doctors from testifying before a Cook County grand jury which is also

investigating the shootings. Panther legal aides contend the results of the autopsy are privileged communication between the doctors and the legal staff.

Panther lawyers and spokesmen have claimed Hampton was shot to death as he lay sleeping under the influence of a sedative. They said the testimony of the witnesses would interfere with the rights of Panthers who are awaiting trial on charges resulting from the raid.

But Campbell ruled the right of the grand jury to investigate possible violations of federal law is "paramount and transcends the rights of agents of potential defendants in criminal cases."

In another development, two of 16 Panthers being sought on charges of kidnapping a man and a woman last April in Chicago surrendered. Hampton was among those originally charged in the case. The two who surrendered today were Robert J. Bruce, 21, and Nathaniel W. Junior, 22.

## Panther Party Declared Not Object of U.S. Probe

The White House said yesterday that Justice Department attorneys are investigating some individual members of the militant Black Panther organization in San Francisco, but that the organization itself is not the object of the federal probe.

There were some reports of a widespread investigation of the Black Panther Party which is headquartered at Berkeley, Calif. but White House Press Secretary Ronald L. Ziegler said the investigation is only directed at individuals suspected of making threats on the President's life, crossing state lines to incite to riot and other such offenses. He said some of the individuals happened to be Black Panther members.

In San Francisco Tuesday, Black Panther chief of staff David Hilliard pleaded innocent to charges of threatening the life of President Nixon during an antiwar rally Nov. 15.

Hilliard, 27, in a speech before 100,000 persons at Golden Gate Park, said, "We will kill Mr. Nixon." The defense maintains the statement was mere rhetoric, "language of the ghetto."

Paul Halvonik, an attorney for the American Civil Liberties Union, said the ACLU was supporting Hillard.

"The U.S. Supreme Court was held that political hyperbole, even when the talk is about the President's life, is protected by the First Amendment," Halvonik said.